~~TOP SECRET//COMINT//NOFORN~~

NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE, MARYLAND 20755-6000

7 September 2010

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that intelligence activities of the National Security Agency during the quarter ending 30 June 2010 were unlawful or contrary to Executive Order or Presidential Directive and thus should have been reported pursuant to Section 1.6(c) of Executive Order 12333, as amended.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

George Ellard/dh
GEORGE ELLARD
Inspector General

MATTHEW G. OLSEN
General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
General, U. S. Army
Director, NSA/Chief, CSS

Encl:
Quarterly Report

This document may be declassified and marked "UNCLASSIFIED/~~For Official Use Only~~" upon removal of enclosure(s)

~~TOP SECRET//COMINT//NOFORN~~

Approved for Release by NSA on 12-19-2014, FOIA Case # 70809 (Litigation)

1. (U) Intelligence, counterintelligence, and intelligence-related activities that violate law, regulation, or policy substantiated during the quarter, as well as actions taken as a result of the violations

(U) Intelligence Activities

(U//~~FOUO~~) Unintentional Collection Against U.S. Persons or Foreign Persons in the United States

~~(S//REL USA, FVEY)~~ This quarter there were [ ] instances in which Signals Intelligence (SIGINT) analysts inadvertently targeted or collected communications to, from, or about U.S. persons while pursuing foreign intelligence tasking. All intercepts and reports have been deleted or destroyed as required by United States SIGINT Directive (USSID) SP0018.

(b)(1)
(b)(3)-P.L. 86-36

(U) Targeting

~~(S//SI//REL TO USA, FVEY)~~ [ ] a SIGINT analyst at a collection site discovered that a telephone selector for a U.S. person was inadvertently targeted. The tasking error occurred because the analyst transposed the digits of the telephone number. The site detasked the selector and deleted collection on [ ] No reporting was issued based on the collection.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [ ] an NSA analyst found that [ ] selectors had remained tasked while targets were in the United States. Traffic collected [ ] was deleted [ ] The selectors associated with the targets were detasked on [ ] another analyst found additional collection from a different tasked selector for one of the [ ] targets. The collection was marked for deletion [ ] no reports were issued.

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [ ] NSA analysts learned a foreign intelligence target had arrived in the United States on [ ] These analysts neglected to share this information with other NSA colleagues targeting this individual until [ ] the second group of analysts suspended associated collection and detasked an e-mail selector. No reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [ ] an NSA analyst queried a raw traffic database using an e-mail selector associated with a U.S. person. The analyst conducted the appropriate research to determine the location of the newly identified selector; however, the analyst overlooked information that attributed the selector to a U.S. person tasked under an FAA 704 Certification that expired [ ] The analyst deleted the query results the same day without viewing them. The analyst deleted the query [ ] There was no reporting. The analyst was counseled to conduct more thorough research on the location of targets before querying.

Derived From: NSA/CSSM 1-52
Dated: 20070108
Declassify On: 20320108

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ During a routine audit conducted [redacted] NSA discovered that an analyst had inadvertently queried [redacted] in a raw traffic database. The incident occurred because the analyst did not verify the status of the entity before performing the query. All queries and results were deleted.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that the selectors for a valid foreign intelligence target were queried in a raw traffic database while the target was located in the United States on [redacted] The analyst deleted the query results [redacted] New procedures have been implemented to ensure that traffic is reviewed.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst learned that a valid foreign target had traveled to the United States from [redacted] collection on [redacted] after returning from leave, the analyst detasked [redacted] target selectors, [redacted] and deleted intercept that had been collected while the target was in the United States. Database queries and results were also deleted [redacted] No reports were issued. The analyst contacted the Intelligence Community customer and learned that the customer knew that the target had been in the United States from [redacted] but neglected to tell NSA. The customer was reminded to alert NSA when targets [redacted] the United States.

(b)(1)
(b)(3)-P.L. 86-36

~~(C//REL TO USA, FVEY)~~ [redacted] an NSA analyst queried on the selector used by foreign intelligence target based in the United States. The incident occurred because the analyst did not conduct sufficient research [redacted] before performing the queries. The query and results were deleted [redacted]

(U) Database Queries

~~(C//REL TO USA, FVEY)~~ On [redacted] occasions, analysts constructed database queries that targeted U.S. persons, and on [redacted] of those occasions, the queries returned results from the database. The results returned from these overly broad or poorly constructed queries were deleted, and no reports were issued. Procedural errors contributed to [redacted] violations.

(b)(1)
(b)(3)-P.L. 86-36

- ~~(C//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that selectors tasked in a database were associated with a U.S. person. The terms were tasked by a previous analyst who believed that the selectors were associated with a valid foreign intelligence target. The analyst immediately submitted a request to have the selector detasked. [redacted] the selector was detasked, and the analyst deleted his query and the results.

- ~~(TS//SI//NF)~~ [redacted] a SIGINT analyst performed a query in a raw traffic database using [redacted] as a query term. The query was designed to retrieve traffic containing threats pertaining to [redacted] The analyst was unaware of USSID

(b)(1)
(b)(3)-P.L. 86-36

SP0018 guidelines for performing this type of query. The query was deleted [redacted] 2010.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA auditor discovered queries containing U.S. selectors. The queries returned [redacted] results; however, the application had difficulty loading the results. Therefore, no U.S. communications were reviewed and no reports were issued. The analyst deleted the results [redacted]

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst queried a raw traffic database using an e-mail selector known to be associated with a U.S. person usually located in the United States. The selector was found to be in contact with a valid foreign target tasked [redacted] under FAA 702 authority. The analyst queried the selector [redacted] 2010, but did not conduct appropriate research [redacted] before performing the query. After running the query [redacted] the analyst was told by other branch members that the e-mail address was used by a U.S. person. The analyst deleted the query results on [redacted] There was no reporting. The analyst was counseled by branch management on the importance of making appropriate determinations about locations of targets before querying.

(b)(1)
(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ On [redacted] an NSA analyst submitted one query against [redacted] Although the analyst's original target was a valid foreign intelligence target, the analyst expanded the search to include the U.S. selector. On [redacted] an NSA auditor discovered that [redacted] and requested the analyst to do further research. [redacted] after searching open source information, the analyst determined it to be a U.S. selector and deleted the query and results. No reporting was issued.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst inadvertently queried [redacted] U.S. telephone numbers [redacted] The analyst neglected to ascertain whether all the selectors [redacted] targets, and not U.S. telephone numbers; therefore, the query inadvertently contained [redacted] U.S. telephone numbers. Upon seeing the large number of results returned, the analyst deleted the results without viewing them on [redacted] The analyst confirmed that no further collection had occurred, that all collection had been deleted, and that the [redacted] elephone numbers had been deleted from the query.

(b)(1)
(b)(3)-P.L. 86-36

- ~~(TS//SI//NF)~~ [redacted] an NSA analyst learned that a selector queried on [redacted] was associated with a U.S. person. [redacted] NSA received Attorney General authorization to [redacted] outside the United States. These time periods included [redacted] the NSA analyst realized that the query conducted on [redacted] for the timeframe [redacted]

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

was in error and notified branch management. the NSA analyst deleted the query and the returned results. There was no reporting.

(b)(1)
(b)(3)-P.L. 86-36

- ~~(TS//SI//NF)~~ an NSA analyst mistakenly included one e-mail selector authorized by a Foreign Intelligence Surveillance Court (FISC) Order for a foreign in a query against E.O. 12333 The analyst estimated the volume of results for the total query at messages; however, the analyst did not view any data from selectors in question before deleting the query results There were no reports issued based on the query results.

(b)(1)
(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst conducting query learned that a valid foreign intelligence target had traveled to the United States on and had departed the country by NSA collected messages sent by the target during this time period. The messages were purged A heavy workload prevented the analyst from reviewing the selector regularly. Management redistributed work to prevent a recurrence of this problem.

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

- ~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst inadvertently queried of a U.S.-based used by foreign targets. The analyst intended to target the The analyst deleted the query results on No reports were issued based on the results of the query.

(b)(1)
(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst inadvertently targeted a while performing a query in a raw traffic database. Intending to query the a U.S. the analyst used query terms that retrieved communications of a U.S. The analyst deleted the query and results without viewing them on

- ~~(S//REL TO USA, FVEY)~~ On an NSA analyst conducted queries on selectors associated with a probable U.S. person. the analyst asked a second analyst to look for any other information on the target that the branch might have. The second NSA analyst found an e-mail from

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

the analyst deleted the queries, the saved results, and data in analytic files.

- ~~(S//SI//REL TO USA, FVEY)~~ a new SIGINT analyst inadvertently queried on an e-mail selector and two telephone numbers associated with a U.S. person. Although the e-mail address contained the analyst proceeded with the query and discovered two telephone numbers used by the owner of the e-mail address. The analyst failed to verify that the selectors were associated with a U.S. person before performing the query in a raw traffic database. The query results were deleted the same day.

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

- ~~(S//REL TO USA, FVEY)~~ [redacted] an NSA auditor discovered a query [redacted] an NSA analyst performed the query [redacted] despite available information identifying them as U.S [redacted] No U.S. communications were noted and no reports were issued. The query and results were deleted on [redacted]

(b)(1)
(b)(3)-P.L. 86-36

(U) Retention

~~(C//REL TO USA, FVEY)~~ [redacted] an NSA analyst learned that a foreign intelligence target was in the United States. The same day, the analyst detasked associated selectors and requested that data collected while the target was in the United States and stored in a database be purged. The collection was not purged until [redacted] because the analyst did not follow proper procedures. Management reminded all employees of proper procedures to prevent future purging delays.

(U) Detasking Delays

~~(C//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a selector tasked under E.O. 12333 was not detasked when the target visited the United States on [redacted] Upon discovering that the selector remained tasked under E.O. 12333 collection, the analyst requested immediate detasking on [redacted] The collection was deleted on [redacted] with no reporting.

~~(C//REL TO USA, FVEY)~~ On [redacted] an NSA field site was notified that a large volume of data was being forwarded as part of a test of a raw traffic database. It was determined that [redacted] during system testing would likely collect U.S. communications. Normal procedures had not been followed during testing. All local tasking was deleted, and the site analyst marked the collection for deletion. No reports were issued based on this collection. .

(b)(1)
(b)(3)-P.L. 86-36

~~(C//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a selector for a U.S. person was still tasked at a collection site. The selector had been detasked on [redacted] but the site failed to implement the detask order. The traffic collected during this time period was deleted on [redacted]

~~(C//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that another NSA analyst had neglected to detask [redacted] selectors associated with targets that were in the United States from [redacted] The selectors were detasked on [redacted] Collection on [redacted] of the selectors was deleted [redacted] There was no reporting.

~~(C//REL TO USA, FVEY)~~ On [redacted] an NSA analyst discovered that a selector had not been detasked despite [redacted] the United States from [redacted] On [redacted] the selector was detasked. [redacted] an analyst deleted the collection. There was no reporting based on this collection.

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst noticed a significant increase in traffic and discovered e-mail messages from U.S. persons. The collection was turned off the cause of the error was determined to be that was corrected the same day. A request was made to purge all data affected by

(b)(1)
(b)(3)-P.L. 86-36

~~(C//REL TO USA, FVEY)~~ an NSA analyst discovered that selectors containing typing errors had been tasked in support of two consensual agreements sponsored by an Intelligence Community agency. Two agreements authorized targeting of a U.S. person the analyst received a third consensual agreement for the period Only when the last agreement was received was the analyst provided with corrected selectors. At that time the analyst learned that the selectors were used by a U.S. person and had been authorized by a consensual agreement. The analyst believes there was no collection from the incorrect selectors. There has been no reporting. All branch analysts were reminded on to carefully review approved consensual collection agreements and to take steps to avoid typing errors for the selectors.

(U) Dissemination of U.S. Identities

~~(TS//SI//REL USA, FVEY)~~ The NSA Enterprise issued SIGINT product reports during this quarter. In those reports, SIGINT analysts disseminated communications to, from, or about U.S. persons or entities on occasions while pursuing foreign intelligence tasking this quarter. A total of SIGINT products were canceled as NSA and Second Party partner analysts learned of the U.S. persons, organizations, or entities named in products without authorization. All data in the canceled reports was deleted as required, and the reports were not reissued or were reissued with proper minimization.

(b)(1)
(b)(3)-P.L. 86-36

(U) The Foreign Intelligence Surveillance Act (FISA)

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(U) Database Queries

~~(TS//SI//NF)~~ an NSA analyst performed a query on the selectors for The analyst deleted the query and results on No reports were issued based on the results of the query.

~~(TS//SI//NF)~~ an NSA analyst performed a query The analyst deleted the query and results on

(U) Tasking Error

~~(S//REL TO USA, FVEY)~~ an NSA analyst learned that a tasked selector for a FISA-authorized target was associated with a U.S. The analyst detasked the selector on All collection was deleted on

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

The delay in deleting the data was attributed to difficulties with executing queries to identify collection for deletion. To prevent recurrence of this type of incident, NSA has implemented a process No reports were issued.

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ during a review of tasked cellular telephone numbers in conjunction with preparation for the renewal of the FISC Order, NSA analysts discovered that cellular telephone numbers authorized under the Order remained on tasking This incident was reported to the FISC on

(b)(1)
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ NSA discovered that a SIGINT collection site erroneously tasked FAA 704 and 705b selectors The site detasked all of the target's selectors

~~(S//REL TO USA, FVEY)~~ an NSA analyst discovered that an e-mail selector associated with a FISC-authorized target remained tasked The analyst believed that all of the target's selectors had been detasked in This selector was detasked on Traffic collected was purged.

~~(S//SI//REL TO USA, FVEY)~~ On NSA analysts inadvertently targeted telephone selectors not authorized on NSA FISC Order. The target analyst The incident occurred because of missed communications among several analysts and the absence of one of the primary tasking analysts. An analyst began detasking the selectors on The detasking was completed on and collection from was purged. One report was issued but was canceled on The analyst discovered on that, due to a software problem, the report remained in the SIGINT report repository. The analyst canceled the report again on

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

~~(TS//NF)~~ Business Records (BR) Order

~~(TS//SI//NF)~~ NSA discovered that the BR metadata for a U.S. telephone identifier was queried on after authorization to target had expired The identifier was mislabeled as authorized until in NSA's list of identifiers. The incident occurred because of delays in NSA's manual review of the list of identifiers. No reports were issued based on the query results. NSA implemented a new program to automatically update an identifier's authorization status.

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(U) The FISA Amendments Act (FAA)

(b)(1)
(b)(3)-P.L. 86-36

(U) Section 702

(U) Unauthorized Targeting

~~(S//SI//REL TO USA, FVEY)~~ NSA analysts discovered that an e-mail selector for a valid FAA 702-authorized target was tasked while the target was in the United States on Although traffic on the target is analysts had overlooked information about the target's travel to the United States. The selector was detasked and collection from has been purged.

~~(S//REL TO USA, FVEY)~~ NSA learned that the e-mail address associated with a valid intelligence target was tasked while the target was in the United States. the United States. All FAA 702 data collected has been purged.

~~(S//SI//REL TO USA, FVEY)~~ NSA analysts discovered that a target tasked under FAA 702 authority was in the United States between Although traffic on the target is the primary analyst was behind in reviewing traffic and overlooked information that revealed that the United States. The selector was detasked on and all collection between has been purged.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ the selector for a valid foreign intelligence target remained tasked during the time the target was in the United States. The selector was associated with the United States on The incident occurred because the analyst had inadvertently missed the selector The selector was detasked on and traffic collected during was deleted.

~~(C//REL TO USA, FVEY)~~ NSA discovered that the selector for an FAA 704-authorized subject was erroneously tasked The tasking error occurred because the selector was improperly The selector was detasked on No collection resulted from the tasking.

(b)(1)
(b)(3)-P.L. 86-36

~~(C//REL TO USA, FVEY)~~ On NSA discovered that an analyst had erroneously tasked a target selector on before the tasking was approved by NSA on No FAA 702 data was collected.

~~(TS//SI//REL TO USA, FVEY)~~ NSA discovered that selectors associated with a valid foreign intelligence target the United States

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

[redacted] The incident occurred because the traffic associated with the target selectors was not routed to a new analyst when responsibility for the target was transferred [redacted] As a result, traffic was not reviewed after [redacted] The selectors were detasked on [redacted] and all collection has been purged.

~~(S//REL TO USA, FVEY)~~ [redacted] during a review of FAA-tasked selectors, NSA analysts discovered that the selector for a valid foreign intelligence target [redacted] the United States from [redacted] Analysts overlooked this information that was [redacted] All collection was deleted on [redacted] The selector was not detasked because the target had departed the United States on [redacted]

(b)(1)
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ [redacted] an NSA analyst tasked the selector for an individual believed to be a valid foreign intelligence target [redacted] the United States. While researching the selector and another for [redacted] target, the analyst performed a query in a raw traffic database and found additional information that suggested that the target may be located in the United States. [redacted] the analyst detasked the selector and deleted the query and results. There was no reporting.

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted]

(U) Database Queries

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ On [redacted] an NSA analyst queried the selector for an FAA 705b target [redacted] raw traffic database. The queries did not produce any results or reporting. The analyst received training regarding queries on FAA 705b targets [redacted]

~~(C//REL TO USA, FVEY)~~ [redacted] an NSA analyst performed [redacted] queries in a raw traffic database on the selectors associated with an FAA 702 target while he was in the United States. The incident occurred because the analyst did not perform due diligence in executing queries that excluded the timeframes of the target's travel to the United States. The query and results were deleted the same day the queries were performed. No reports were issued based on the query results.

~~(C//REL TO USA, FVEY)~~ During the second quarter, NSA discovered that two software bugs prevented the implementation of tasking and detasking requests. As a result of the software problems, at least [redacted] FAA 702-authorized selectors remained on collection despite attempts to

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

detask them, [redacted] and another was to be detasked because of the target's [redacted] the United States. The software problems were discovered on [redacted] and the [redacted] selectors were manually detasked on the same day. The software was modified on [redacted] to correct the problems.

~~(S//REL TO USA, FVEY)~~ On two occasions on [redacted] NSA analysts queried on a selector for an FAA 705b subject [redacted]. The incidents occurred because the analysts [redacted] before performing the queries. In one instance, the analyst deleted the query and results on [redacted] In the second instance, the analyst stopped the query before any results were returned. To prevent future errors, new procedures have been implemented requiring a secondary review before queries are submitted.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a query on e-mail selectors [redacted] had been detasked [redacted] The selectors, originally tasked [redacted] were detasked on [redacted] because the accounts were [redacted] a U.S. person. The error occurred because another analyst set up queries in a personal folder rather than in a group folder while the selectors were still tasked, which prevented other NSA analysts from being aware of the existence of these queries. These queries were overlooked when the selectors were detasked. The query and results collected between [redacted] were deleted on [redacted] There was no reporting.

(U) Detasking Delays

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ During a review of FAA tasked selectors [redacted] NSA analysts learned that the e-mail selectors associated with [redacted] valid foreign intelligence targets remained tasked after the targets were in the United States. [redacted] the United States on [redacted] they neglected to detask the e-mail selectors. The e-mail selectors were detasked on [redacted] All FAA 702 data collected between [redacted] was purged.

~~(TS//SI//NF)~~ [redacted] during a daily review of FAA 702 tasked selectors, NSA analysts discovered that [redacted] selectors for valid foreign targets remained tasked during the time the targets were in the United States. [redacted] the United States, the target analysts erroneously believed that selectors were allowed to remain on task during the time the [redacted] was in the United States. The selectors were not detasked because [redacted] had departed the United States as of [redacted] All FAA 702 collection between [redacted] was purged.

(b)(1)
(b)(3)-P.L. 86-36

(U) Data Handling Errors

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(U//~~FOUO~~) On [redacted] occasions between [redacted] FAA-derived information was available to NSA analysts not cleared for FAA access. On [redacted] occasions, NSA analysts received e-mails containing FAA 702 information. Upon discovery of

(b)(1)
(b)(3)-P.L. 86-36

the error, the e-mails were recalled and deleted. On [redacted] occasions, NSA analysts not cleared for access to FAA data were allowed to view FAA data in a raw traffic database.

(U) Retention

(U//~~FOUO~~) NSA implemented a new process to ensure that FISA Amendments Act (FAA) collection that is required to be purged is purged from NSA databases. A [redacted] to identify data that should be purged. During the second quarter, data that matched the selectors on the [redacted] was purged or aged off.

(U) Section 704

(b)(3)-P.L. 86-36

(U) Database Queries

(U//~~FOUO~~) [redacted] an analyst queried a raw traffic database using an FAA 704-approved selector without limiting the search to items collected under FAA 704 authorization. The analyst realized the mistake before results were returned, so no reports were issued. Management counseled the analyst about the importance of performing due diligence when conducting FAA-related queries.

(U) Section 705b

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(U) Database Queries

(S//~~REL TO USA, FVEY~~) NSA discovered that the [redacted] Based on the discovery of this incident, NSA auditors reviewed other activities and found four more occurrences of [redacted] In all instances, the [redacted] were deactivated and new [redacted] were created to exclude FAA 702 authorized collection. New procedures have been implemented that require analysts to indicate [redacted] In addition, an online working aid provides tool-specific instructions for querying FAA 705b target selectors.

(S//~~REL TO USA, FVEY~~) [redacted] NSA analysts conducted queries using an e-mail selector known to be associated with an FAA 705b target against FAA 702 data. A total of [redacted] queries were performed [redacted] The problem was corrected on [redacted] Neither the query nor the results were stored.

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36

~~TOP SECRET//COMINT//NOFORN~~

~~(S//REL TO USA, FVEY)~~ NSA auditors discovered that two analysts had queried the selector associated with an FAA 705b target of a raw traffic database. A total of queries were performed by the two analysts While both analysts were aware of the prohibition of targeting U.S. persons the analysts were unaware that the target was under FAA 705b authority. Only one of the analysts was aware The query did not return any results and there was no reporting. New procedures have been implemented that require analysts to indicate the location and collection authority of the selectors.

~~(S//REL TO USA, FVEY)~~ On an analyst submitted queries on selectors for FAA 705b targets The error occurred because the analyst was unaware of when targeting FAA 705b-tasked selectors. Queries on of the selectors returned and queries on selectors did not return any results. All results were deleted on The analyst received additional training on on the correct querying procedures and data sources when performing queries on FAA 705b-tasked selectors.

(b)(1)
(b)(3)-P.L. 86-36

~~(C//REL TO USA, FVEY)~~ an analyst performed a query on selectors that were detasked due to the target's travel to the United States on Although the analyst detasking in advance of the the analyst neglected to terminate queries in a raw traffic database. The analyst deleted the queries and results on No reports were issue based on the query results.

~~(S//REL TO USA, FVEY)~~ On while researching a list of tasked selectors, an analyst queried the selectors for FAA 705b targets in a raw SIGNT database containing FAA 702 collection. The error occurred because the analyst did not realize that the list contained FAA 705b targets before initiating the queries. The analyst deleted the results on and the queries on

~~(S//REL TO USA, FVEY)~~ a SIGINT analyst queried the selector used by an FAA 705b target raw traffic database. While the query was running, the analyst did further research that revealed that the selector was associated with an FAA 705b target. The analyst deleted the query and results.

(b)(1)
(b)(3)-P.L. 86-36

(U) Tasking Error

~~(TS//SI//NF)~~ NSA discovered that selectors associated with an FAA 705b target were erroneously tasked

The selectors were deleted from sites did not collect any traffic on the selectors. NSA has since implemented a new tasking rule barring when FAA 704 or FAA 705b authorization is applied to the selector.

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(U) **Other**

(b)(3)-P.L. 86-36

(U) Unauthorized Access

~~(C//REL TO USA, FVEY)~~ [redacted] human errors allowed an NSA analyst deployed to a field site to access FISA-authorized data although the site is not authorized to access this data. The error was caused by a misunderstanding of guidance and a [redacted] delay in suspension of the account after the analyst deployed.

~~(S//REL TO USA, FVEY)~~ [redacted] four NSA analysts who did not have the appropriate training to view FISA-derived data came in contact with summarized information on the [redacted] Two analysts have already taken the required training and the remaining two analysts have been scheduled to take the training.

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

(U) Inappropriate Access Controls on COMSEC Monitoring Data

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] NSA discovered that COMSEC monitoring data had [redacted] due to an improperly configured processing system. The configuration problems were corrected on [redacted] To prevent future occurrences, NSA has implemented a [redacted] to alert analysts to the unintended presence of COMSEC data [redacted]

(b)(1)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(U) Unauthorized Collection of COMSEC Monitoring Data

~~(S//REL TO USA, FVEY)~~ On [redacted] NSA discovered that a system problem allowed [redacted] outside of the authorized [redacted] provided by the customer. After an upgrade to system software on [redacted] technicians noticed that the system was not [redacted] Data received from the time of the upgrade to the time [redacted] was implemented on [redacted] was not [redacted] No reports were issued from the collection.

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

(U) Computer Network Exploitation (CNE)

~~(TS//SI//NF)~~ [redacted]

~~(TS//SI//NF)~~ [redacted]

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798
(b)(3)-P.L. 86-36

(TS//SI//NF)

(TS//SI//NF)

(TS//SI//NF)

(U) Counterintelligence Activities

(U) Nothing to report.

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(U) Intelligence-related Activities

(S//SI//NF) To reduce the risk of unauthorized telephony collection and prevent violations, NSA instituted a process that gives analysts greater and faster insight into a target's location.

In the instances when collection occurred, it was purged from NSA's principal raw traffic repositories when required.

(S//SI//NF)

NSA analysts found e-mail selectors this quarter. When collection occurred, it was purged from NSA's principal raw traffic repositories when required.

(U//~~FOUO~~) Although not violations of E.O. 12333 and related directives, NSA/CSS reports instances in which database access was not terminated when access was no longer required.

(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36

Once identified, the accesses were terminated. In addition, there were [redacted] instances of unauthorized access to raw SIGINT during [redacted]

2. (U) NSA Office of the Inspector General (OIG) Intelligence Oversight (IO) Inspections, Investigations, and Special Studies

(U//~~FOUO~~) During this quarter, the OIG reviewed various intelligence activities of the NSA/CSS to determine whether they had been conducted in accordance with statutes, executive orders, Attorney General procedures, and DoD and internal directives. With few exceptions, the problems uncovered were routine and showed that operating elements understand the restrictions on NSA/CSS activities.

(U//~~FOUO~~) [redacted]

(b)(3)-P.L. 86-36

(U//~~FOUO~~) The [redacted] IO program has undergone several leadership changes in the past few years and, as a result, is still maturing. The site's program would benefit from continued attention to documentation of processes and procedures. Currently the site does not have Standard Operating Procedures for intelligence oversight. Records to document compliance with IO training requirements for [redacted] personnel are incomplete; however, [redacted] compliance with the required IO annual refresher training is good.

(U) [redacted]

~~(S//REL TO USA, FVEY)~~ During an OIG review, NSA discovered that the [redacted] had no formal process to verify whether [redacted] individuals with access to [redacted] had been appropriately trained. By [redacted] had deleted [redacted] accounts because the individuals no longer required access to the data. [redacted] account holders obtained required USSID SP0018 training, and [redacted] account holders obtained required clearances. To prevent future unauthorized access, [redacted] established a formal account request process in which clearances are verified before accounts are created.

(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-50 USC 3024(i)
(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36

(U) Misuse of the U.S. SIGINT System (USSS)

(U) Nothing to report.

(U) Congressional and IOB Notifications

(U) Nothing to report.

3. (U) Substantive changes to the NSA/CSS Intelligence Oversight Program

(U) Nothing to report.

4. (U) Changes to NSA/CSS published directives or policies concerning intelligence, counterintelligence, or intelligence-related activities and the reason for the changes

(U) Nothing to report.

5. (U) Procedures governing the activities of Department of Defense (DoD) intelligence components that affect U.S. persons (DoD Directive 5240.1-R, Procedure 15) Inquiries or matters related to Intelligence Oversight Programs

(U) Nothing to report.